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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/572,892	03/20/2006	Ian David Stones	M03B304	3001
71134	7590	06/24/2010	EXAMINER	
Edwards Vacuum, Inc.			EASTMAN, AARON ROBERT	
2041 MISSION COLLEGE BOULEVARD				
SUITE 260			ART UNIT	PAPER NUMBER
SANTA CLARA, CA 95054			3745	
			NOTIFICATION DATE	DELIVERY MODE
			06/24/2010	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10572892	3/20/2006	STONES, IAN DAVID	M03B304

EXAMINER

Aaron R.. Eastman

ART UNIT	PAPER
3745	20100618

DATE MAILED:

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Commissioner for Patents

The information disclosure statement filed June 14, 2010 fails to comply with 37 CFR 1.97(c) because it lacks a statement as specified in 37 CFR 1.97(e). It has been placed in the application file, but the information referred to therein has not been considered. 37 CFR 1.97(e) states:

" A statement under this section must state either:

- (1) That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement; or
- (2) That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement."

In contrast, Applicant has stated:

"The Information Disclosure Statement submitted herewith was first cited in a communication from a Japanese counterpart application on March 29, 2010, not more than three months prior to the filing of the information disclosure statement."

Applicant's statement is not the same as statement (1) of 37 CFR 1.97(e) as shown above.

/Edward K. Look/
Supervisory Patent Examiner, Art Unit 3745